

# State of South Dakota

SEVENTY-EIGHTH SESSION  
LEGISLATIVE ASSEMBLY, 2003

400I0554

## HOUSE ENGROSSED NO. **SB 80** - 02/26/2003

Introduced by: The Committee on Appropriations at the request of the Governor

1 FOR AN ACT ENTITLED, An Act to establish the Richard Hagen-Minerva Harvey memorial  
2 scholarship program and to make an appropriation therefor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Pursuant to the donation and intent of Minerva I. Harvey, deceased August 25,  
5 1999, as expressed by Article 2 of her Last Will and Testament and presented for probate in the  
6 State of New Jersey, Gloucester County Surrogate's Court, there is hereby established within the  
7 Department of Education and Cultural Affairs the Richard Hagen-Minerva Harvey memorial  
8 scholarship program.

9 Section 2. The Richard Hagen-Minerva Harvey memorial scholarship program shall be  
10 administered by a five-member board named the Richard Hagen-Minerva Harvey Memorial  
11 Scholarship Board which is hereby established. The members shall be appointed by the Governor  
12 for a term of five years, except that the initial appointments shall be for periods of one, two,  
13 three, four, and five years. The Governor shall appoint one member as the temporary chair of the  
14 board. The board shall elect officers at its first meeting. The board shall meet no more than four  
15 times a year, not including telephonic conferences, as may be necessary to complete its  
16 responsibilities as prescribed by this Act. No more than three members of the board may be of



the same political party. At least two members of the board shall be enrolled members of a tribe located in South Dakota. A majority of the board shall be present either personally or telephonically to constitute a quorum.

Section 3. In order to be eligible for a Richard Hagen-Minerva Harvey memorial scholarship award, a student shall:

- (1) Have graduated from a South Dakota accredited high school;
- (2) Have met high school graduation requirements established by rules promulgated pursuant to chapter 1-26 by the Department of Education and Cultural Affairs;
- (3) Attend a public or nonpublic accredited university, college, or technical institute located in South Dakota; and
- (4) Be an enrolled member, or lineal descendant of an enrolled member, of a tribe whose reservation is located in whole or part in South Dakota.

Section 4. Scholarship award payments shall be made to the institution at the beginning of the fall or spring semester on behalf of the eligible student who has received a Richard Hagen-Minerva Harvey memorial scholarship. The amount of the award is as follows:

- (1) Not less than one thousand dollars for the first year of attendance;
- (2) Not less than one thousand dollars for the second year of attendance;
- (3) Not less than one thousand five hundred dollars for the third year of attendance; and
- (4) Not less than two thousand five hundred dollars for the fourth year of attendance.

Section 5. The board may award no more than seven scholarships per year.

Section 6. In order to maintain eligibility, a student who has been awarded a Richard Hagen-Minerva Harvey memorial scholarship shall:

- (1) Maintain a cumulative 2.5 grade point average on a 4.0 grade point scale;
- (2) Be continuously enrolled for the fall and spring semesters in a public or nonpublic

1           accredited university, college, or technical institution; and

2           (3)    Complete the equivalent of at least fourteen credit hours of instruction per semester.

3           Section 7. If factors beyond the control of a student who has been awarded a Richard Hagen-  
4   Minerva Harvey memorial scholarship prevent the student from meeting the requirements in  
5   section 6 of this Act, the board may temporarily waive the requirements of section 6 of this Act  
6   as eligibility criteria.

7           Section 8. The Department of Education and Cultural Affairs shall provide necessary support  
8   services to the board created by this Act.

9           Section 9. There is hereby continuously appropriated to the Department of Education and  
10   Cultural Affairs any other fund expenditure authority necessary for the department to accept and  
11   expend money the department may receive from any source for the purpose for providing a  
12   Richard Hagen-Minerva Harvey memorial scholarship.

13          Section 10. The secretary of the Department of Education and Cultural Affairs shall approve  
14   vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

15          Section 11. The Department of Education and Cultural Affairs may promulgate rules  
16   pursuant to this Act and chapter 1-26 to accept applications for a Richard Hagen-Minerva  
17   Harvey memorial scholarship, establish criteria to award a Richard Hagen-Minerva Harvey  
18   memorial scholarship, and to maintain eligibility for a Richard Hagen-Minerva Harvey memorial  
19   scholarship.